

UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

SEALEDUnited States of America
v.

Case No.

1:22-mj-0550

DONTA ALLEN, (01)
LANCE MCGEE, (02)*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 25 through April 8, 2022 in the county of Marion in the
Southern District of Indiana, the defendant(s) violated:*Code Section**Offense Description*

Counts 1-10 18 U.S.C. § 1951(a)(1)

Interference with Commerce by Means of Robbery (Allen and McGee)

Count 11 18 U.S.C. § 1951(a)(1)

Interference with Commerce by Means of Robbery (Allen)

Counts 12-21 18 U.S.C. § 924(c)

Brandishing a Firearm During in Relation to a Crime of Violence (Allen and McGee)

Count 22 18 U.S.C. § 924(c)

Brandishing a Firearm During in Relation to a Crime of Violence (Allen)

This criminal complaint is based on these facts:

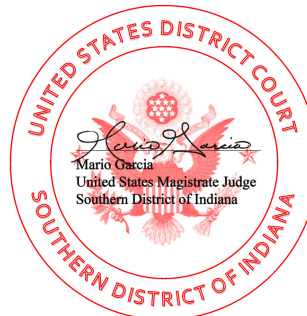
See attached affidavit

☒ Continued on the attached sheet.

s/: Leonard Rothermich, SA/FBI

Complainant's signature

Leonard Rothermich, SA/FBI

*Printed name and title*Attested to by the applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by
telephonic (*reliable electronic means*)Date: 7/6/2022City and state: Indianapolis, IN

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT
AND ARREST WARRANTS**

I, LEONARD P. ROTHERMICH, being duly sworn according to law, depose and state as follows:

INTRODUCTION

1. I am and have been employed as a Special Agent with the Federal Bureau of Investigation [“FBI”] since November of 2014. Prior to that time, I spent 22 weeks training to be a Special Agent at the FBI Academy in Quantico, Virginia beginning on June 15, 2014. Through the FBI, I have received extensive training related to the investigation of federal crimes to include violent crime and firearms offenses. Prior to this, I spent five years on active duty in the United States Army as an officer in the Military Police Corps. I am currently assigned to the FBI Violent Crime Task Force [“FBI VCTF”] in the Indianapolis Field Office of the FBI. In this assignment, I investigate all manner of violent crime, to include armed robberies, narcotic investigations, and firearm related offenses.

2. This affidavit is submitted in support of an application for a Warrant for the Arrests of Donta Allen [“ALLEN”], black male, date of birth [“DOB”] XX-XX-1997; and Lance McGee [“MCGEE”], black male, DOB XX-XX-1992. Herein, the two persons identified above will be collectively referenced to as “the Target Subjects.” Based on my training and experience, and based on the facts below, there is probable cause to believe that the Target Subjects committed the following:

- a. An armed robbery of the Disc Replay store, located at 8210 Rockville Road, Indianapolis, Indiana, on March 25, 2022;

- b. An armed robbery of the GameStop store, located at 5816 Crawfordsville Road, Speedway, Indiana, on March 25, 2022;
- c. An armed robbery of the GameStop store, located at 3269 West 86th Street, Indianapolis, Indiana, on March 27, 2022;
- d. An armed robbery of the AutoZone store, located at 4606 East County Line Road, Indianapolis, Indiana, on March 27, 2022;
- e. An armed robbery of the GameStop store, located at 4525 Lafayette Road, Indianapolis, Indiana, on April 2, 2022;
- f. An armed robbery of the AutoZone store, located at 7455 Michigan Road, Indianapolis, Indiana, on April 2, 2022;
- g. An armed robbery of the Disc Replay store, located at 9739 East Washington Street, Indianapolis, Indiana, on April 3, 2022;
- h. An armed robbery of the Disc Replay store, located at 7317 US 31 South, Indianapolis, Indiana, on April 5, 2022;
- i. An armed robbery of the AutoZone store, located 8525 Southeastern Avenue, Indianapolis, Indiana, on April 5, 2022;
- j. An armed robbery of the AutoZone store, located at 6055 East 82nd Street, Indianapolis Indiana on April 5, 2022; and
- k. An armed robbery of the GameStop store, located at 6905 South Emerson Avenue, Indianapolis, Indiana, on April 8, 2022.

3. Your Affiant knows that the above businesses sell goods produced and transported in interstate commerce. Your Affiant alleges these commercial robberies were in violation of Title 18 United States Code, Section 1951(a) and 924(c).

- a. Title 18, United States Code, Section 1951(a) states: Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce, by robbery or extortion or attempts or conspires to do so, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.
- b. Title 18, United States Code, Section 924(c) states: Any person, who brandishes a firearm during a crime of violence, in furtherance of such a crime, shall, in addition to the punishment provided for such a crime of violence, be sentenced to a term of imprisonment not less than seven years.

4. The statements contained in this affidavit are based in part on information provided by, and conversations held with, Special Agents and Task Force Officers [“TFOs”] of the FBI; detectives and patrol officers of the Indianapolis Metropolitan Police Department [“IMPD”] and Speedway (Indiana) Police Department [“SPD”]; and on my experience and background as a Special Agent of the FBI.

5. I have not included each and every fact that has been revealed through the course of this investigation. I have set forth only the facts that are believed to be necessary to establish probable cause.

BACKGROUND OF THE INVESTIGATION

ARMED ROBBERIES MARCH 25, 2022 THROUGH APRIL 5, 2022

6. On March 25, 2022, at approximately 3:49 pm, ALLEN entered the Disc Replay electronics and entertainment retail store, located at 8210 Rockville Road, Indianapolis, Indiana.

He wore a black colored balaclava style ski mask, which covered portions of his face and throat. He additionally wore a gray colored knit hat over the top of his mask as well as a gray colored Chicago Bulls hoodie, black pants with a small white colored label on the left thigh, and white colored tennis shoes. The lower portion of ALLEN's blue undershirt could be seen sticking out from underneath his gray hoodie. ALLEN approached the checkout counter with the muzzle of a black colored semiautomatic pistol visibly protruding from his right shirt sleeve. The Disc Replay had multiple employees and customers inside of the business at the time.

7. ALLEN fully brandished a black semiautomatic pistol once he was at the counter and demanded money from the cash register and safe. He forced one of the customers to join him behind the counter as an employee began opening the registers. ALLEN then physically removed loose US currency from the drawers and walked to the rear of the business. He propped the rear door open and then quickly returned to the checkout counter. He next ordered the employees to grant him access to the store's safe. The same employee continued to comply and opened it. ALLEN removed US currency from the safe before fleeing out the rear door of the business.

8. Officers from the Indianapolis Metropolitan Police Department ["IMPD"] responded to the scene and initiated an investigation. The victim employee provided them with a statement. He and other witnesses described the robber as maintaining a short dreadlock-style haircut, which was noticeable despite his mask.

9. On this same day, at approximately 4:15 pm, ALLEN entered the GameStop electronics and entertainment retailer, located at 5816 Crawfordsville Road, Speedway, Indiana. He wore the same black colored balaclava over his face as well as the same black pants with a small white label and white shoes. However, he now wore a black colored hoodie, but his blue colored t-shirt was still visible underneath. He brandished a black semiautomatic pistol and

demanded money from the cash registers and safe. The employees complied, and ALLEN fled with stolen US currency.

10. The Speedway Police Department responded to the report of the armed robbery. As a part of their follow-up, they reviewed external surveillance camera footage that captured activity in the parking lot outside of the GameStop. Upon reviewing the footage, they determined that ALLEN arrived in a black colored sedan that resembled a Chevy Malibu. The footage was clear enough to determine the first three numerals of the vehicle's Indiana license plate, which appeared to be "556". ALLEN entered and exited from the Malibu's front passenger seat before fleeing.

11. On March 27, 2022, at approximately 2:39 pm, ALLEN entered the GameStop, located at 3269 West 86th Street, Indianapolis, Indiana. He wore an orange colored ski mask over the majority of his face with a gray colored knit hat over the top of it. He additionally wore a black hoodie that had "Penguins Hockey" across the chest, gray sweatpants with black lines over the knees, and orange colored shoes. As ALLEN entered, a female customer was attempting to exit through the same door. ALLEN immediately brandished a black colored semiautomatic pistol and pushed her back into the store. ALLEN initially held the pistol in a similar fashion to how he held it during the robbery of the Disc Replay on March 25, 2022, in which he attempted to cover the hand that was holding it with his sleeve. He approached the check-out counter and demanded money from the cash register. The lone employee complied. ALLEN reached over the counter to take loose US currency from it. ALLEN next asked if there was a safe, but the employee hesitated to answer him. ALLEN then fled from the business.

12. The IMPD responded to the report of the robbery at the GameStop and initiated an investigation.

13. Later that day at 3:53 pm, ALLEN entered the AutoZone store, located at 4606 East County Line Road, Indianapolis, Indiana. He wore the same clothing as previously described during the robbery of the GameStop earlier that day other than his ski mask, which was now described as green. ALLEN brandished a black semiautomatic pistol at the employees inside of the business. He initially carried it, so that only the muzzle was visible sticking out of his right sleeve. He demanded money from the cash registers and safe. The employees complied, and ALLEN removed loose US currency from both locations. He then ordered the victims to count to “100” before fleeing from the AutoZone. IMPD responded shortly thereafter and initiated an investigation.

14. On April 2, 2022, at approximately 8:36 pm, ALLEN entered the GameStop, located at 4525 Lafayette Road, Indianapolis, Indiana. He wore a green colored ski mask, dark colored hoodie with large white drawstrings, black pants, and white tennis shoes. He brandished a pistol in his right hand with only the muzzle sticking out of the sleeve. He demanded money from the cash registers. The victim employees complied, and ALLEN stole loose US currency from the drawers. He then ordered the employees to lay down in the backroom before fleeing from the business. The IMPD responded to the robbery and initiated an investigation.

15. This same day, at approximately 8:56 pm, ALLEN entered the AutoZone, located at 7455 Michigan Road, Indianapolis, Indiana. He wore what was described as a “neon” colored ski mask with a gray hat on top of it, a black colored sweatshirt, and jeans. He brandished a pistol and demanded money from the cash register and safe. The employees complied, and ALLEN stole loose US currency from the business. The IMPD responded to the AutoZone and initiated an investigation.

16. On April 3, 2022, at approximately 7:51 pm, ALLEN entered the Disc Replay, located at 9739 East Washington Street, Indianapolis, Indiana. He wore the black balaclava over his face, black sweatshirt, black colored pants, and white tennis shoes over black soles. He also wore a white colored lanyard with blue writing throughout it around his neck. A vape pen hung from it. He brandished a black colored semiautomatic pistol and demanded money from the cash register and safe. He stole loose US currency from both locations and further ordered everyone to lay on the ground. He then fled from the business.

17. The IMPD responded to the report of the armed robbery and initiated an investigation. During their follow-up, the assigned detective took statements from the employees and customers that were present. They described the robber's right hand, which was exposed during portions of the robbery as he carried the firearm. They specifically described the back of the hand, which maintained tattoos of possibly letters and symbols. Upon reviewing the surveillance video, a similar tattoo was visible on the back of his left hand, as well.

18. On April 5, 2022, at approximately 7:00 pm, ALLEN entered the Disc Replay, located at 7317 US 31 South, Indianapolis, Indiana. He wore the black colored balaclava with a black colored knit hat over it, a black colored hoodie with the word "Nike" and the Nike emblem in yellow across the chest and a yellow pattern down either arm, black pants, and the same white over black tennis shoes. He brandished a pistol while multiple customers and employees were in the store. He demanded money from both the cash register and safe. Upon acquiring loose US currency, he fled from the business. The IMPD responded and initiated an investigation. As a part of their follow-up, they took statements from the victim employees and witnesses. One of the witnesses was a customer, who informed the officers that he observed the robber fleeing into a gray colored Chevy Malibu.

19. At approximately 7:36 pm on this same day, ALLEN entered the AutoZone, located at 8525 Southeastern Avenue, Indianapolis, Indiana. He wore the black balaclava face mask, a black and orange colored Air Jordan brand hoodie, black pants, and the same black and white shoes as previously seen in this series. He immediately brandished a black semiautomatic pistol while keeping the rest of his hand tucked into his sleeve and approached the check-out counter. ALLEN demanded money from the registers and safe. He stole loose US currency from both locations and then fled out the front of the business. One of the victim employees followed ALLEN out. She continued to follow him as he rounded the side of the building and entered into the passenger seat of a dark colored Chevy Malibu. She noted that the passenger side of the vehicle had a noticeably large dent on it. The victim further observed the robber remove his facemask and could see that he had a short dreadlock hairstyle as well as a goatee or partial beard.

20. Detectives reviewed the AutoZone's external and interior surveillance camera footage, which recorded the robbery. The specific cameras located outside of the business captured ALLEN's getaway vehicle as it drove out of the parking lot following the incident. They confirmed it to be a black colored Chevy Malibu with dark window tint, bearing what the Indiana Bureau of Motor Vehicles ["BMV"] defines as the "Standard Passenger Plate" on its rear bumper. This particular plate contains the image of a red covered wooden bridge pictured underneath the designated license plate numerics. However, the numerics on the Malibu were not legible upon review of the AutoZone's security footage. But, the detectives observed a large dent along its front passenger side door, as described by the victim employee. The vehicle also appeared to maintain a white discoloration near the top left of its rear passenger side door.

21. At approximately 8:42 pm this same day, ALLEN entered the AutoZone, located at 6055 East 82nd Street, Indianapolis, Indiana. He wore the black balaclava face mask and brandished a black colored semiautomatic pistol. He demanded money from the registers and safe. The employees complied, and ALLEN fled with stolen US currency. Prior to leaving, he ordered the victims to lay on the ground. The IMPD responded to the report of the robbery and initiated an investigation.

22. Given the serial nature of the above-described events, the matter was ultimately assigned to Detective Brad Dow [“Det. Dow”] of the IMPD Covert Robbery Unit [“IMPD CRU”].

IDENTIFICATION OF MCGEE’S VEHICLE

23. On April 6, 2022, Detective Dane Elkins [“Det. Elkins”] of the IMPD CRU queried the online camera database system most commonly known as “Flock”. Flock is a private company that currently maintains a contract with the IMPD and city of Indianapolis to install and maintain cameras at certain intersections throughout Marion County, Indiana. These cameras recorded images of vehicles and visible license plates as they travelled through these intersections. The images were then maintained and searchable within the Flock system for approximately 30 days. Law enforcement investigators, to include your Affiant as well as the TFOs and detectives assigned to the IMPD CRU, were granted access to the system for investigative purposes. Specifically, law enforcement could search the database for specific license plates and/or makes, colors, types, and so forth of vehicles. If the search request matched any of the stored images within the Flock system, the website would then populate these findings for further review by the investigator.

24. Upon searching Flock for black Chevy sedans, Det. Elkins located an image of a Malibu matching the one observed in the surveillance footage captured by the AutoZone on April 5, 2022. Specifically, it maintained tinted windows as well as an identical dent and white discoloration on the passenger side of the vehicle. Additionally, it maintained an Indiana Standard Passenger Plate with the numerics “556RCF”.

25. Det. Dow conducted further investigation into this license plate and determined that it was expired and last registered to a Dodge Avenger. According to the BMV, the last registered owner of this license plate was MCGEE.¹²

26. Det. Dow next searched open-source databases for additional information about MCGEE. In doing so, Det. Dow located a possible home address for him of 2846 El Lago Drive North, Apartment A, Indianapolis, Indiana. The IMPD CRU quickly initiated physical surveillance on the apartment.

27. On this same day of April 6th, detectives from the IMPD CRU observed the identified Chevy Malibu, bearing Indiana license plate 556RCF, park in front of 2846 El Lago Drive North. A male matching MCGEE’s physical description exited from the driver’s seat and entered the apartment building. The IMPD CRU maintained ongoing surveillance on the vehicle. It ultimately traveled to the Riley Hospital, located at 251 North Illinois Street, Indianapolis, Indiana. The Malibu predominantly remained there over the course of the next 36 hours.

APRIL 8, 2022 ROBBERY AND SUBSEQUENT ARREST OF ALLEN AND MCGEE

28. In the late afternoon hours of April 8, 2022, the IMPD CRU re-initiated physical surveillance on the Chevy Malibu. They observed it drive to the AutoZone, located at 5025

¹ The license plate was registered MCGEE, as previously identified in paragraph 2 of this Affidavit.

² This license plate is consistent with the partial plate observed during the armed robbery in Speedway as previously identified in paragraph 10 of this affidavit.

South Emerson Avenue, Indianapolis, Indiana. It drove past the business, conducted a U-turn in the middle of the street, and then circled back to conduct another pass in front of the store. The Malibu next drove to the GameStop, located at 6905 South Emerson Avenue, Indianapolis, Indiana, arriving in the vicinity of the rear of the business at approximately 6:10 pm.

29. Detectives observed a black male, later to be identified as ALLEN, exit from the front passenger seat and walk to a back wall that was near the rear exit of the GameStop. The driver, later to be identified as MCGEE, exited from the Malibu and walked over to ALLEN. Both males then returned to the car. MCGEE next exited from the driver's seat a second time and walked around to the front entrance of the GameStop. He entered the business and walked around the store for approximately 30 seconds. MCGEE then returned to the Malibu, and ALLEN exited from the front passenger seat a short time later. ALLEN wore the same black colored hoodie with the word "Nike" and its emblem in yellow over the chest, as previously seen during the Disc Replay robbery on April 5, 2022. He also wore tan colored pants, brown work boots with black colored soles, and a black colored Carhartt brand knit hat attached to a mask that covered the lower portion of his face.

30. ALLEN entered the GameStop as a mother and two small children were preparing to exit. She appeared to notice the muzzle of a black semiautomatic pistol that he had brandished protruding from his right shirt sleeve. He made a physical gesture over his mouth towards the female for her and her children to be quiet and then verbally ordered her to stay in the store as he proceeded towards the cash register. She quickly fled from the GameStop as he walked further away from her towards the check-out counter. Once there, ALLEN demanded access to the cash registers and the safe. The two employees, who were helping other customers at the time, complied and opened the register drawers. ALLEN stole loose US currency and then demanded

to know if the backdoor was open. ALLEN initially ran towards it, but then fled back out the front entrance of the GameStop towards the Malibu.

31. Detectives with the IMPD CRU observed much of ALLEN's movements during the commission of the robbery through the transparent glass windows that were along the store front. They additionally witnessed him flee back to the front passenger seat of the Malibu upon its conclusion. The vehicle drove back to Emerson Avenue and continued northbound away from the business. Officers from the IMPD's Special Weapons and Tactics ["IMPD SWAT"] team were in the vicinity of the GameStop at this time and eventually caught up to the vehicle. At approximately 6:18 pm, SWAT officers conducted a traffic stop on the Malibu and detained the two males inside of it. They confirmed the driver to be MCGEE and the passenger to be ALLEN.

32. Upon confirming the identity of ALLEN, officers noticed that he was wearing different clothing than what he had worn during the robbery minutes earlier. However, some of the robbery attire was visible along the backseat and rear passenger floorboard of the Malibu. This included the brown shoes and brown pants. In a search of his person, they recovered a vape pen hanging by a white colored lanyard around his neck, which had the words "Mr. Fog" printed in blue throughout it.

- a. To note, this appeared to be the same lanyard that ALLEN wore around his neck during the armed robbery of the Disc Replay, located at 9739 East Washington Street, Indianapolis, Indiana, on April 3, 2022. The IMPD seized the lanyard as evidence and transported it to the IMPD Property Room.
- b. Additionally, the IMPD CRU noticed that ALLEN maintained tattoos on the back of his left and right hands, which were consistent with what was seen and described by one of the victims of the Disc Replay at 9739 E. Washington

St. Furthermore, the tattoo on the back of ALLEN's right hand consisted of symbols and letters.

33. Unbeknownst to law enforcement at the time of ALLEN's arrest, he had discarded the black colored Nike hoodie that he had worn during the robbery. Detectives would later determine that ALLEN had thrown it out of the window as they initially fled from the GameStop. The recovery of this hoodie is further described below in paragraph 45.

34. At the time of ALLEN's arrest, officers additionally noticed that he had a GPS ankle monitor installed around his ankle. They determined that the Marion County (Indiana) Superior Court had ordered him to remain on home detention with GPS monitoring on or about September 20, 2021, as a part of his sentence under cause number 49D30-2009-F4-029286. The underlying conviction was for the Unlawful Possession of a Firearm by a Serious Violent Felon. The Marion County Community Corrections ["MCCC"] was responsible for supervising ALLEN's adherence to home detention and GPS monitoring. To note, at the time of his arrest on April 8, 2022, ALLEN had tin foil wrapped around his ankle monitor.

35. Your Affiant knows in his investigative experience that the signal emitted from the equipment typically used to track individuals that are court-ordered to wear a GPS monitor can be obstructed through the use of tin foil. More specifically, a person can impede the transmitter around his or her ankle from discerning their locations by simply wrapping tin foil around the device or some other equivalent. Your Affiant further knows through this same investigative experience that many perpetrators within Marion County, Indiana and its surrounding counties know that this technique allows them to hide their current whereabouts whenever they are participating, or preparing to participate, in criminal activity. Therefore, it was the IMPD's and your Affiant's strong belief that ALLEN had been purposefully attempting to

obstruct his ankle monitor from determining his location during the time of the GameStop robbery on April 8, 2022.

36. Following the arrest, officers transported MCGEE and ALLEN to the IMPD Robbery Office for questioning. The Malibu was seized and secured in lieu of a search warrant. The vehicle was towed to the IMPD Auto Return holding lot in the meantime.

MCGEE'S STATEMENT

37. Upon their arrival at the IMPD Robbery Office, Det. Dow and Detective Jon Schultz ["Det. Schultz"] of the IMPD CRU first presented MCGEE with his *Miranda* rights. MCGEE stated that he understood his rights and voluntarily waived them by signing an IMPD Advice of Rights form. MCGEE identified the other male that was in the car with him that day as ALLEN. MCGEE ultimately admitted to his ownership of the black Chevy Malibu bearing Indiana license plate 565RCF and to purposefully using it be ALLEN's getaway driver during the armed robbery of the GameStop earlier that day. MCGEE stated that he entered the store first in order to gather information about the inside of it for ALLEN. The plan had been for them to then split the proceeds of the robbery.

38. MCGEE additionally admitted to acting as ALLEN's getaway driver in the below armed robberies:

- a. the Disc Replay, located at 8210 Rockville Road, Indianapolis, Indiana, on March 25, 2022;
- b. the GameStop, located at 3269 West 86th Street, Indianapolis, Indiana, on March 27, 2022;
- c. the AutoZone, located at 4606 East County Line Road, Indianapolis, Indiana, on March 27, 2022;

- d. the GameStop, located at 4525 Lafayette Road, Indianapolis, Indiana, on April 2, 2022;
- e. the AutoZone, located at 7455 Michigan Road, Indianapolis, Indiana, on April 2, 2022;
- f. the Disc Replay, located at 7317 US 31 South, Indianapolis, Indiana, on April 5, 2022;
- g. the AutoZone, located at 8525 Southeastern Avenue, Indianapolis, Indiana, on April 5, 2022; and
- h. the AutoZone, located at 6055 East 82nd Street, Indianapolis, Indiana, on April 5, 2022.

39. MCGEE acknowledged that ALLEN was the male who brandished a gun during the robberies; though MCGEE noted that his DNA may also be found on the firearm.

40. Det. Dow and Det. Schultz next presented ALLEN with his *Miranda* rights through an IMPD Advice of Rights form. ALLEN stated that he understood his rights and voluntarily waived them by signing the form. He denied committing any robberies.

41. The IMPD arrested MCGEE and ALLEN that night for their commission of the above-listed robberies.

ALLEN'S GPS MONITORING

42. On April 9, 2022, the MCCC provided Det. Dow with reports of ALLEN's court-ordered GPS location history as of March 25, 2022. The report showed the following information:

- a. On March 25, 2022, between 2:01 pm and 9:30 pm, ALLEN's ankle monitor did not transmit a signal to report his whereabouts. Prior and immediately

after that duration, the device reported ALLEN as being at his home address.

As previously documented, the IMPD responded to the report of an armed robbery of the Disc Replay, located at 8210 Rockville Road, Indianapolis, Indiana, at or about 3:49 pm that day. The IMPD also responded to the armed robbery of the GameStop, located at 5816 Crawfordsville Road, Speedway, Indiana, at approximately 4:15 pm.

- b. On March 27, 2022, ALLEN's GPS device failed to connect between 1:38 pm and 8:08 pm. The IMPD responded to the report of the armed robbery of the GameStop, located at 3269 West 86th Street, Indianapolis, Indiana, at or about 2:39 pm. They then responded to the report of the armed robbery of the AutoZone, located at 4606 East County Line Road, Indianapolis, Indiana, at or about 3:53 pm that same day.
- c. On April 2, 2022, ALLEN's GPS device failed to connect between 8:22 pm and 11:00 pm. The IMPD responded to the report of an armed robbery of the GameStop, located at 4525 Lafayette Road, Indianapolis, Indiana, at approximately 8:36 pm. They then responded to the report of an armed robbery of the AutoZone, located at 7455 Michigan Road, Indianapolis, Indiana, at or about 8:56 pm.
- d. On April 3, 2022, ALLEN's ankle monitor failed to connect between 6:25 pm and 10:21 pm. During that time, the IMPD responded to the report of an armed robbery of the Disc Replay, located at 9739 East Washington Street, Indianapolis, Indiana, at approximately 7:45 pm.

- e. On April 5, 2022, ALLEN's ankle monitor failed to connect between 5:37 pm and 11:00 pm. At or about 7:05 pm, the IMPD responded to the report of an armed robbery of the Disc Replay, located at 7317 US 31 South, Indianapolis, Indiana. They responded to the report of an armed robbery at the AutoZone, located at 8525 Southeastern Avenue, Indianapolis, Indiana, at approximately 7:36 pm. Officers then responded to the armed robbery of the AutoZone, located at 6055 East 82nd Street, Indianapolis, Indiana, at 8:42 pm.
- f. A review of ALLEN's GPS history on April 8, 2022 showed its reported locations to be consistent with his observed travel during the IMPD CRU's physical surveillance of the Chevy Malibu and its two male occupants that day. At 5:11 pm, his ankle monitor stopped transmitting a signal. As previously documented, the armed robbery of the GameStop that evening was at approximately 6:10 pm. At 6:18 pm, his device began showing ALLEN's location again. It showed him at 5155 Victory Drive, which was the location and general time of his arrest.

SEARCH OF CHEVY MALIBU AND EVIDENCE RECOVERY

43. On April 10, 2022, the Marion County Superior Court authorized a warrant to search the Chevy Malibu, which was still secured at the IMPD Auto Return lot. Detectives with the IMPD CRU executed it that same day. They recovered multiple items, which included the following:

- a. \$168 in loose US currency
- b. A black colored hoodie with large white drawstrings. This piece of clothing matched the hoodie that ALLEN wore during the armed robbery of the

GameStop, located at 4525 Lafayette Road, Indianapolis, Indiana, on April 2, 2022

- c. A pair of brown leather shoes with black soles, which ALLEN wore in the armed robbery of the GameStop, located at 6905 South Emerson Avenue, Indianapolis, Indiana, on April 8, 2022
- d. A gray Carhartt brand winter hat with a connected face mask, which ALLEN wore during the armed robbery of the GameStop, located 6905 South Emerson Avenue, Indianapolis, Indiana, on April 8, 2022
- e. A pair of tan pants, which ALLEN wore during the armed robbery of the GameStop, located at 6905 South Emerson Avenue, Indianapolis, Indiana, on April 8, 2022
- f. A loaded black colored Smith & Wesson EZ 9mm semiautomatic pistol, bearing serial number NEW1850. The pistol was specifically located in the rear passenger seat inside of a black nylon gun case. This pistol appeared to match the firearm that ALLEN brandished throughout this series of robberies.

44. The IMPD photographed and seized the above-listed items and transported them to the IMPD Property Room for holding.

45. Det. Dow learned of the above items and noticed that the black Nike hoodie that ALLEN wore during the GameStop robbery prior to his arrest was not located in the Malibu, unlike the rest of the clothing from that day. Det. Dow suspected that ALLEN may have discarded it prior to IMPD SWAT initiating the traffic stop that lead to his arrest. Det. Dow drove the route that the Malibu took to flee from the business on April 8, 2022 and observed a black piece of clothing along the curb near 6111 South Emerson Avenue. This location was

approximately one mile north of the GameStop and two miles south of the scene of the arrest. Det. Dow recovered the piece of clothing and confirmed that it was the black Nike hoodie with the word “Nike” and the emblem in yellow over the chest. It also maintained a yellow striped pattern down both sleeves.

46. To note, on the night of April 8, 2022, the Marion County Superior Court authorized a warrant to search ALLEN’s identified address of 3221 Merrick Lane, Apartment 2B, Indianapolis, Indiana. Upon IMPD CRU’s execution of this warrant, they failed to find any clothing previously worn during this robbery series. However, they did find a copy of a warrant authorized by the Marion County Superior Court that the IMPD CRU had executed at ALLEN’s residence as a part of an investigation in 2020. That year, the Marion County Superior Court convicted ALLEN of Robbery, under cause number 49D30-2010-F3-033268. ALLEN ultimately plead guilty to robbing the AutoZone, located at 1170 North Arlington Avenue, Indianapolis, Indiana, which he had committed on October 26, 2020. During the incident, ALLEN brandished a knife and demanded access to the cash registers and safe. He further tried to order the victims around the store and control the scene of the robbery in a similar manner as to his most recent series alleged in this Affidavit. Upon identifying ALLEN as a suspect in 2020, the IMPD CRU conducted a warrant at his residence, which was 1347 North Arlington Avenue, Indianapolis, Indiana. During its execution, they recovered clothing that he had worn during the crime. This recovery significantly assisted in leading to his prosecution in that matter.

47. Given the facts that ALLEN had quickly changed out of his robbery clothes following the GameStop robbery on April 8, 2022 and that the hoodie worn during this robbery was eventually recovered on the side of the road a mile away from the business and, lastly, that none of the other robbery clothing was located at his new address on Merrick Lane, Det. Dow

suspected that ALLEN had learned from his previous robbery case how to not only evade law enforcement's detection and but also an arrest. Based on this finding, Det. Dow recanvassed ALLEN's other previous robbery locations for other possible clothing discarded during his flight. In doing so, he located and recovered the black and orange colored Air Jordan hoodie laying in a shallow creek that ran parallel to the street in front of 8405 Southeastern Avenue, Indianapolis. ALLEN wore this hoodie during the armed robbery of the AutoZone, located at 8525 Southeastern Avenue, Indianapolis, Indiana, on April 5, 2022. This recovery location was approximately .2 miles from the AutoZone. In summation of these findings, your Affiant believes that ALLEN discarded the majority of clothing that he wore throughout this series, to include other face masks, pants, and shoes. Your Affiant further believes that he did this for the specific purpose of interfering with law enforcement's ability to connect him to previous robberies if he were to be stopped and/or arrested following his most recent one.

48. All of these events transpired within the Southern District of Indiana.

CONCLUSION

49. Based on the information detailed above, I believe that there is probable cause that ALLEN and MCGEE violated Title 18 United States Code, Sections 1951(a) and 924(c)(1)(A)(ii), in that the following were committed:

- a. An armed robbery of the Disc Replay store, located at 8210 Rockville Road, Indianapolis, Indiana, on March 25, 2022; during which ALLEN brandished a firearm;
- b. An armed robbery of the GameStop store, located at 5816 Crawfordsville Road, Speedway, Indiana, on March 25, 2022; during which ALLEN brandished a firearm;

- c. An armed robbery of the GameStop store, located at 3269 West 86th Street, Indianapolis, Indiana, on March 27, 2022; during which ALLEN brandished a firearm;
- d. An armed robbery of the AutoZone store, located at 4606 East County Line Road, Indianapolis, Indiana, on March 27, 2022; during which ALLEN brandished a firearm;
- e. An armed robbery of the GameStop store, located at 4525 Lafayette Road, Indianapolis, Indiana, on April 2, 2022; during which ALLEN brandished a firearm;
- f. An armed robbery of the AutoZone store, located at 7455 Michigan Road, Indianapolis, Indiana, on April 2, 2022; during which ALLEN brandished a firearm;
- g. An armed robbery of the Disc Replay store, located at 7317 US 31 South, Indianapolis, Indiana, on April 5, 2022; during which ALLEN brandished a firearm;
- h. An armed robbery of the AutoZone store, located 8525 Southeastern Avenue, Indianapolis, Indiana, on April 5, 2022; during which ALLEN brandished a firearm;
- i. An armed robbery of the AutoZone store, located at 6055 East 82nd Street, Indianapolis Indiana on April 5, 2022, during which ALLEN brandished a firearm; and

- j. An armed robbery of the GameStop store, located at 6905 South Emerson Avenue, Indianapolis, Indiana, on April 8, 2022; during which ALLEN brandished a firearm.

Also, that ALLEN violated Title 18 United States Code, Sections 1951(a) and 924(c)(1)(A)(ii), in that the following was committed:

- k. An armed robbery of the Disc Replay store, located at 9739 East Washington Street, Indianapolis, Indiana, on April 3, 2022; during which ALLEN brandished a firearm.

50. Accordingly, I respectfully request the Court to issue a criminal complaint and arrest warrants charging ALLEN and MCGEE with these offenses.

/s/ Leonard P. Rothermich
Leonard P. Rothermich
Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Federal Rule of Criminal Procedure 4.1 by telephone.

Date: 7/6/2022

